

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

**CRIMINAL MINUTES – JURY TRIAL
Day 2**

Case No.: 1:17CR27

Date: 4/30/19

Defendant: Joel Smithers, Bond

Counsel: Donnie Williams, Appt.

PRESENT:	JUDGE:	James P. Jones	TIME IN COURT:	9:00 – 10:20 a.m.
	Deputy Clerk:	Felicia Clark		10:35 – 12:03 p.m.
	Court Reporter:	Donna Prather		1:10 – 2:28 p.m.
	U. S. Attorney:	Randy Ramseyer, Zachary Lee and Cagle Juhan		
	USPO:	Not Present		3:27 – 4:13 p.m.

Total: 4 hours 52 minutes

LIST OF WITNESSES

GOVERNMENT	DEFENDANT
1. Sylvia Fields 2. Tracy Whitlow 3. Timothy Robertson 4. Michelle Smith 5. Bryan Harlow 6. Shannon Kovaleski 7. Deborah Reynolds 8. Sharon Mullins	1.

PROCEEDINGS:

- ☒ Preliminary remarks and instructions to jury by Court.
- ☒ Witness Exclusion Rule Implemented by the Court.
- ☒ Opening Statements by counsel.
- ☒ Government presents evidence.
- ☒ Defendant to remain on bond.

Additional Information: Jury Trial – Day 2 held. All parties were present and ready to proceed. Witness exclusion rule implemented. There were 14 jurors present. Court instructed the jurors.

Opening statements by counsel. Court recessed at 10:20 a.m. Court resumed at 10:35 a.m. Outside the presence of the jury, defense counsel objection to a possible Government witness. Court overruled the objection. Jurors returned to the courtroom. Government presented evidence and questioned witnesses. Court recessed for lunch at 12:03 p.m. Court resumed at 1:10 p.m. Court recessed at 2:28 p.m. Court resumed at 3:27 p.m. Jurors retired for the day to return on 5/1/19 at 9:00 a.m. Outside the presence of the jury, Court directs the Government to hold all patient files and prescriptions (admitted on 4/30/19) in their office pending the conclusion of the trial and then the Court will address these exhibits and the sealing of such exhibits at that time. Defendant remained on bond. Court adjourned a 4:13 p.m.